

**Fill in this information to identify the case:**

Debtor 1      Donald Francis Kelly, II

Debtor 2

United States Bankruptcy Court for the: Middle District of Pennsylvania

Case number :    1:13-bk-04693-RNO

**Form 4100R**

**Response to Notice of Final Cure Payment**

10/15

According to Bankruptcy Rule 3002.1(g), the creditor responds to the trustee's notice of final cure payment.

**Part 1: Mortgage Information**

**Name of creditor:** Deutsche Bank National Trust Company, as Trustee for MORGAN STANLEY IXIS REAL ESTATE CAPITAL TRUST 2006-2 MORTGAGE PASS THROUGH CERTIFICATES, SERIES 2006-2 **Court claim no.** 15 (if known):

**Last 4 digits** of any number you use to identify the debtor's account: 8209

**Property Address:** 804 NORTH 16TH STREET  
HARRISBURG Pennsylvania 17103

**Part : 2 Prepetition Default Payments**

*Check one:*

- ☒ Creditor agrees that the debtor(s) have paid in full the amount required to cure the prepetition default on the creditor's claim.
- ☐ Creditor disagrees that the debtor(s) have paid in full the amount required to cure the prepetition default on the creditor's claim. Creditor asserts that the total prepetition amount remaining unpaid as of the date of this response is: \$

**Part 3: Postpetition Mortgage Payment**

*Check one:*

- ☐ Creditor states that the debtor(s) are current with all postpetition payments consistent with § 1322(b)(5) of the Bankruptcy Code, including all fees, charges, expenses, escrow, and costs.
- The next postpetition payment from the debtor(s) is due on:
- ☒ Creditor states that the debtor(s) are not current on all postpetition payments consistent with § 1322(b)(5) of the Bankruptcy Code, including all fees, charges, expenses, escrow, and costs.

Creditor asserts that the total amount remaining unpaid as of the date of this response is:

- a. Total postpetition ongoing payments due: 8/1/2018 (a) \$ 2709.80
- b. Total fees, charges, expenses, escrow, and costs outstanding: + (b) \$ 6802.07
- c. **Total.** Add lines a and b. (c) \$9511.87

Creditor asserts that the debtor(s) are contractually obligated for the postpetition payment(s) that first became due on:

**Part 4:** Itemized Payment History

If the creditor disagrees in Party 2 that the prepetition arrearage has been paid in full or states in Part 3 that the debtor(s) are not current with all postpetition payments, including all fees, charges, expenses, escrow, and costs, the creditor must attach an itemized payment history disclosing the following amounts from the date of the bankruptcy filing through the date of this response:

- all payments received;
- all fees, costs, escrow, and expenses assessed to the mortgage; and
- all amounts the creditor contends remain unpaid.

**Part 5:** Sign Here

**The person completing this response must sign it. The response must be filed as a supplement to the creditor's proof of claim.**

*Check the appropriate box:*

☐ I am the creditor.

☒ I am the creditor's authorized agent.

**I declare under penalty of perjury that the information provided in this response is true and correct to the best of my knowledge, information, and reasonable belief.**

Sign and print your name and your title, if any, and state your address and telephone number if different from the notice address listed on the proof of claim to which this response applies.

/S/ Mary Vitartas Date 12/11/2018  
Signature

Print: Mary Vitartas Title Authorized Agent for Creditor

Company Padgett Law Group

**If different from the notice address listed on the proof of claim to which this response applies:**

Address 6267 Old Water Oak Road, Suite 203  
Tallahassee FL, 32312

Contact phone (850) 422-2520 Email bkcm@padgettlaw.net

**CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that a true and correct copy of the foregoing has been furnished to the parties on the attached Service List by electronic service and/or by First Class U.S. Mail on this the 11<sup>th</sup> day of December, 2018.

/S/Mary Vitartas

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MARY VITARTAS  
PADGETT LAW GROUP  
6267 Old Water Oak Road, Suite 203  
Tallahassee, FL 32312  
(850) 422-2520 (telephone)  
(850) 422-2567 (facsimile)  
bkcrm@padgettlaw.net  
*Authorized Agent for Creditor*

**SERVICE LIST (CASE NO. 13-43430-bem)**

Debtor 1  
Donald Francis Kelly, II  
804 N 16th Street  
Harrisburg, PA 17103

Debtors Attorney  
Kara Katherine Gendron  
Mott & Gendron Law  
125 State Street  
Harrisburg, PA 17101

Dorothy L Mott  
Mott & Gendron Law  
125 State Street  
Harrisburg, PA 17101

Trustee  
Charles J DeHart, III (Trustee)  
8125 Adams Drive, Suite A  
Hummelstown, PA 17036

Asst. U.S. Trustee  
United States Trustee  
228 Walnut Street, Suite 1190  
Harrisburg, PA 17101

				Version #			
				Last Revised Date:			
Loan Demographics							
Account Number		Number	13-04693	Property Address	804 NORTH 16TH STREET HARRISBURG PA 17103 .		
Bankruptcy Filing Information							
Filed By	DONALD KELLY		Chapter Filed	Chapter 13		Gov't Loan	
District	MIDDLE DISTRICT OF PENNSYLVANIA		Bankruptcy Filing Date	09/12/2013		POC Filing Date	1/14/2014
						1st Post Due Date	10/1/2013
Beneficiary (Action in the Name of)							
First Borrower							
Name	DONALD KELLY		SSN	Non-filing Co-Signer			
Second Borrower							
Name			0 SSN	Non-filing Co-Signer			
Payoff Figures as of: 00/00/0000							
Delinquent Contractual/Post Petition Payments							
Unpaid Balance		Date Due	Amount Due (P&I and Escrow)	Principle & Interest	Escrow	Number of Months	Total Due
Interest Amount							\$ -
Interest Rate							\$ -
Per Diem							\$ -
Escrow Advance							\$ -
Corporate Advance							\$ -
NSF							\$ -
Total Suspense*							\$ -
*Includes all Pre-Petition and Post - Petition Suspense			Suspense**	\$ 359.82			\$ (359.82)
TOTAL			\$ -	TOTAL			\$ (359.82)
				**If Chapter 13, will include Post Petition Suspense			
				***If Chapter 7, will include all suspense			

		National Settlement Agreement*	
Contractual Due Date as per LSAMS			
Current Post Petition Due date as per Post Ledger		*All loans acquired from Bank of America effective January 1, 2013.	
Contractual/Post Petition Payment Amount Due (P&I and Escrow)			

Other Information		Right to Foreclosure Language*
Property Treatment	Retain	*Please include right to foreclose language in the Motion for Relief
Property Status	Secured	
Motion for Dismissal Filing Date	No	
Pending Discharge	No	
Trustee Pay All	No	
Loss Mitigation Status	Not Active	
Interest Amount at the Time of Filing	#REF!	

\*LM Status and copies of any and all available denial letters are required in CA

\*If referral for CA and NY, breakdown for Corp. Advances is required. IF for FL and MD, breakdown for Corp Advances and Escrow Advances are required

\*If referral is for CA and CO, then contractual payment history is needed for one year prior to the contractual due date.

<b>Payment Address</b> Nationstar Mortgage, LLC PO Box 619094 Dallas, TX 75261-9741 <b>Correspondence Address</b> Nationstar Mortgage, LLC PO Box 619096 Dallas, TX 75261-9741	All payments and mail should be addressed as <b>ATTN: Bankruptcy Dept</b>	<b>Comments</b> Last payment received on
		Processed by

*Pre-Petition Ledger*

Filed By:	DONALD KELLY
Case Number:	0
Filing Date:	13-04693
	09/12/13

	POC Figures	Comments
Payments	\$13,071.24	AO PAYMENTS
AO Payments		
Escrow		
PREPITION FEES	\$3,207.33	
NSF Fees		
FCL fees and Cost	\$1,031.00	
ATTY FEES		
FILING FEES		
TITLE FEES		
PROPERTY INSPEC		
BK FEES		
Other fees		
Others		
Suspense	\$363.72	
Total POC	\$16,945.85	

Trustee Disbursements

Payment Received	Principal Received	POC Balance	Applied To	Payment Applied	Additional Escrow Applied	Fees/Costs/Corp Applied	Payment Suspense	LSAMS Trustee Suspense Balance	Comments
(Date)		\$ 16,945.85	(Date)						
		\$ 16,945.85					\$ -	\$ -	
02/20/14		\$ 16,945.85		\$ 754.11			\$ (754.11)	\$ (754.11)	
03/04/14		\$ 16,945.85		\$ 754.11			\$ (754.11)	\$ (1,508.22)	
03/18/14		\$ 16,945.85		\$ 754.11			\$ (754.11)	\$ (2,262.33)	
12/18/14		\$ 16,945.85		\$ 733.85			\$ (733.85)	\$ (2,996.18)	
01/14/15	\$ 228.97	\$ 16,716.88					\$ 228.97	\$ (2,767.21)	
02/11/15	\$ 243.01	\$ 16,473.87					\$ 243.01	\$ (2,524.20)	
04/07/15	\$ 485.99	\$ 15,987.88					\$ 485.99	\$ (2,038.21)	
06/09/15	\$ 242.98	\$ 15,744.90					\$ 242.98	\$ (1,795.23)	
08/07/15	\$ 729.00	\$ 15,015.90					\$ 729.00	\$ (1,066.23)	
11/10/15	\$ 60.11	\$ 14,955.79					\$ 60.11	\$ (1,006.12)	
12/08/15	\$ 120.23	\$ 14,835.56					\$ 120.23	\$ (885.89)	
01/12/16	\$ 571.06	\$ 14,264.50					\$ 571.06	\$ (314.83)	
02/10/16	\$ 525.98	\$ 13,738.52					\$ 525.98	\$ 211.15	
	\$ (211.15)	\$ 13,949.67					\$ (211.15)	\$ -	
<b>LOANMOD ENTRED</b>		\$ 13,949.67					\$ -	\$ -	
09/20/17	\$ 60.11	\$ 13,889.56					\$ 60.11	\$ 60.11	
09/20/17	\$ 300.56	\$ 13,589.00					\$ 300.56	\$ 360.67	
09/20/17	\$ 240.45	\$ 13,348.55					\$ 240.45	\$ 601.12	
09/20/17	\$ 360.67	\$ 12,987.88					\$ 360.67	\$ 961.79	
09/20/17	\$ 180.33	\$ 12,807.55					\$ 180.33	\$ 1,142.12	
09/20/17	\$ 240.45	\$ 12,567.10					\$ 240.45	\$ 1,382.57	
09/20/17	\$ 199.27	\$ 12,367.83					\$ 199.27	\$ 1,581.84	
09/20/17	\$ 243.51	\$ 12,124.32					\$ 243.51	\$ 1,825.35	
09/20/17	\$ 120.73	\$ 12,003.59					\$ 120.73	\$ 1,946.08	
09/22/17	\$ (1,946.08)	\$ 13,949.67					\$ (1,946.08)	\$ -	
02/14/18	\$ 173.20	\$ 13,776.47					\$ 173.20	\$ 173.20	
03/15/18	\$ 299.20	\$ 13,477.27					\$ 299.20	\$ 472.40	
04/09/18	\$ 299.20	\$ 13,178.07					\$ 299.20	\$ 771.60	
05/21/18	\$ 448.80	\$ 12,729.27					\$ 448.80	\$ 1,220.40	
06/12/18	\$ 123.63	\$ 12,605.64					\$ 123.63	\$ 1,344.03	
06/12/18	\$ 474.77	\$ 12,130.87					\$ 474.77	\$ 1,818.80	
07/17/18	\$ 374.00	\$ 11,756.87					\$ 374.00	\$ 2,192.80	
08/14/18	\$ 299.20	\$ 11,457.67					\$ 299.20	\$ 2,492.00	
08/16/18		\$ 11,457.67		\$ 765.89			\$ (765.89)	\$ 1,726.11	
09/10/18		\$ 11,457.67		\$ 765.89			\$ (765.89)	\$ 960.22	
09/13/18		\$ 11,457.67		\$ 765.89			\$ (765.89)	\$ 194.33	
	\$ (194.33)	\$ 11,652.00					\$ (194.33)	\$ (0.00)	
		\$ 11,652.00					\$ -	\$ (0.00)	
		\$ 11,652.00					\$ -	\$ (0.00)	
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		\$ 11,652.00					\$ -	\$ (0.00)	
		\$ 11,652.00					\$ -	\$ (0.00)	

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Payments in POC:	\$13,071.24	1-Mar-18	\$677.45
First Post Due Date:	10/01/13		

[illegible][illegible]